

PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP

1285 AVENUE OF THE AMERICAS
NEW YORK, NEW YORK 10019-6064
TELEPHONE (212) 373-3000

LEASDIRECT DIAL: (212) 373-3250
EMAIL: LREISNER@PAULWEISS.COM

BRUSSELS	TOKYO
HONG KONG	TORONTO
LONDON	WASHINGTON, DC
LOS ANGELES	WILMINGTON
SAN FRANCISCO	

January 8, 2025

By ECF

Honorable John G. Koeltl
United States District Judge, Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *SEC v. Virtu Financial Inc. and Virtu Americas LLC*, No. 1:23-cv-08072 (JGK)

Dear Judge Koeltl:

We write on behalf of defendants Virtu Financial, Inc. (“VFI”) and Virtu Americas LLC (“VAL”) (collectively, “Virtu” or “Defendants”), pursuant to Rule I(e) of the Court’s Individual Practices, to respectfully request a six-month extension of the deadlines in the Court’s Civil Scheduling Order. (ECF No. 50.) This is Virtu’s first request for an extension of time. Plaintiff the U.S. Securities and Exchange Commission (“SEC”) has stated that it takes no position on Virtu’s request.

Virtu has good cause to seek this extension based on the recent unavailability of one its expert witnesses, Mr. Paul Atkins. Virtu retained Mr. Atkins as an expert witness on June 6, 2024. Last month, President-elect Donald Trump announced his intention to nominate Mr. Atkins to be the next Chair of the SEC. As a result, Mr. Atkins is no longer available to serve as an expert witness in this matter. We have been searching diligently for a new expert in the time since Mr. Atkins’ nomination. Mr. Atkins and his team have spent the last seven months investigating the complex factual and compliance issues presented by this case. We anticipate that any expert we retain will need to dedicate a similar amount of time to learning the intricacies of Virtu’s business. Accordingly, Virtu respectfully requests a six-month extension of all case deadlines to allow it sufficient time to retain a new expert and for that expert to prepare their report.

PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP

1285 AVENUE OF THE AMERICAS
 NEW YORK, NEW YORK 10019-6064
 TELEPHONE (212) 373-3000

BRUSSELS TOKYO
 HONG KONG TORONTO
 LONDON WASHINGTON, DC
 LOS ANGELES WILMINGTON
 SAN FRANCISCO

Pursuant to Rule I(e), Virtu is attaching a Revised Scheduling Order as Exhibit A to this letter. For the Court's convenience, all current deadlines and proposed deadlines are set forth below.

Deadline	Original Date	Proposed Date
Close of Discovery	March 28, 2025	September 29, 2025
Dispositive Motions	May 2, 2025	November 3, 2025
Pretrial Order/Motions <i>in Limine</i>	May 23, 2025	November 24, 2025
Ready for Trial	June 14, 2025	December 15, 2025

Respectfully submitted,

/s/ Lorin L. Reisner

Lorin L. Reisner

Counsel for Defendants

cc: All counsel (via ECF)